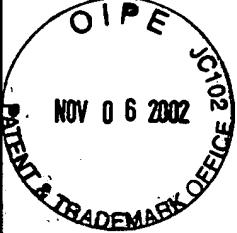


#12
DP
11-14-02

| | | |
|---|---|-----------------------------|
| NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES | | Docket Number 29627.0006 |
|  | In re Application of Alan L. Everett | |
| | Application Number 09/761,624 | Filed 1/17/2001 |
| | For PRECISION DISPENSING TIP AND METHOD | |
| | Group Art Unit 3752 | Examiner C.S. Kim |

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated 8/1/2002, rejecting the following claims: 1-7, 9-12 and 14-16

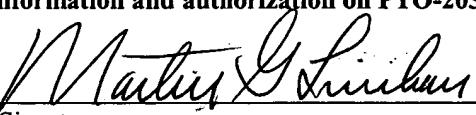
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 320.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 160.00
 A check in the amount of the fee is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
 The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-2442. I have enclosed a duplicate copy of this sheet.
 A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the
 applicant.
 assignee of record of the entire interest.
 attorney or agent of record.
 attorney or agent acting under 37 CFR 1.34(a).
 Registration number if acting under 37 CFR 1.34(a). _____

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NOV 14 2002
TECHNOLOGY CENTER 3700


 Signature
Martin G. Linihan
 Typed or printed name

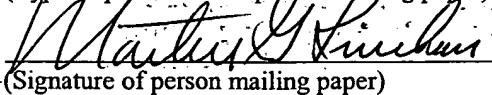
November 1, 2002
 Date

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, Washington, D.C. 20231.

Date November 1, 2002Martin G. Linihan

(Type or print name of person mailing paper)


 Signature of person mailing paper

11/08/2002 AWONDAF1 00000053 09761624

01 FC:2401

160.00 OP

755222

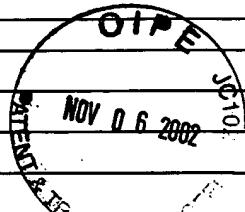
FEE TRANSMITTAL for FY 2003

Patent Fees are subject to annual revision.

■ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$160.00)

| | |
|------------------------|------------------|
| Application Number | 09/761,624 |
| Filing Date | January 17, 2001 |
| First Named Inventor | Alan L. Everett |
| Examiner Name | C.S. Kim |
| Group/Art Unit | 3752 |
| Attorney Docket Number | 29627.0006 |

**METHOD OF PAYMENT (check all that apply)**

Check Credit Card Money Order Other None
 Deposit Account: Deposit Account Number: 08-2442
 Deposit Account Name: Hodgson Russ LLP

The Commissioner is hereby authorized to (check all that apply)

Charge fee(s) indicated below
 Charge any fee deficiencies or credit any overpayments
 Charge any additional fees during pendency of this application.
 Charge fees indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION (continued)

| 3. ADDITIONAL FEES | | | | | |
|---|---|------------------------|-----------------|---|--|
| Large Entity | | Small Entity | | | |
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | \$ |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | \$ |
| 1053 | 130 | 1053 | 130 | Non-English specification | \$ |
| FEE CALCULATION | | | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination |
| 1. BASIC FILING FEE | | | 1804 | 920* | Requesting Publication of SIR prior to Examiner Action |
| Large Entity | Small Entity | Fee Paid | 1805 | 1,840* | Requesting Publication of SIR after Examiner Action |
| Fee Code (\$) | Fee Code (\$) | Fee Description | | | |
| 1001 740 | 2001 370 | Utility filing fee | \$ | 1251 110 | 2251 55 Extension for reply within first month |
| 1002 330 | 2002 165 | Design filing fee | \$ | 1252 400 | 2252 200 Extension for reply within second month |
| 1003 510 | 2003 255 | Plant filing fee | \$ | 1253 920 | 2253 460 Extension for reply within third month |
| 1004 740 | 2004 370 | Reissue filing fee | \$ | 1254 1,440 | 2254 720 Extension for reply within fourth month |
| 1005 160 | 2005 80 | Provisional filing fee | \$ | 1255 1,960 | 2255 980 Extension for reply within fifth month |
| SUBTOTAL (1) | | | \$0 | 1401 320 | 2401 160 Notice of Appeal \$160 |
| 2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE | | | Fee Paid | | |
| Extra Fee from Claims below | | | 1402 | 320 | 2402 160 Filing a brief in support of an appeal |
| Total Claims | / / -20** = / / x / / = | | \$ | 1403 280 | 2403 140 Request for oral hearing |
| Independent Claims / / - 3** = / / x / / = | | | \$ | 1451 1,510 | 1451 1,510 Petition to institute a public use proceeding |
| Multiple dependent / / x / / = | | | \$ | 1452 110 | 2452 55 Petition to revive - unavoidable |
| Large Entity | | | Fee Paid | | |
| Small Entity | | | 1453 1,280 | 2453 640 Petition to revive - unintentional | |
| Fee Code (\$) | Fee Code (\$) | Fee Description | | | |
| 1501 | 1,280 | 2501 640 | | 10 advance copies Utility issue fee (or reissue) | \$ |
| 1202 18 2202 9 | Claims in excess of 20 | | 1502 460 | 2502 230 Design issue fee | \$ |
| 1201 84 2201 42 | Independent claims in excess of 3 | | 1503 620 | 2503 310 Plant issue fee | \$ |
| 1203 280 2203 140 | Multiple dependent claim if not paid | | 1460 130 | 1460 130 Petitions to the Commissioner | \$ |
| 1204 84 2204 42 | **Reissue independent claims over original patent | | 1807 50 | 1807 50 Processing fee under 37 CFR 1.17(q) | \$ |
| 1205 18 2205 9 | **Reissue claims in excess of 20 and over original patent | | 1806 180 | 1806 180 Submission of Information Disclosure Statement | \$ |
| SUBTOTAL (2) | | | \$0 | 8021 40 | 8021 40 Recording each patent assignment per property (times number of properties) |
| SIGNATURE: <i>Martin G. Linihan</i> | | | | 1809 740 | 2809 370 Filing a submission after final rejection(37 CFR 1.129(a)) |
| Martin G. Linihan | Reg. No. 24,926 | | | 1810 740 | 2810 370 For each add'l invention to be examined(37 CFR 1.129(b)) |
| DATE: November 1, 2002 | Telephone: (716) 848-1367 | | | 1801 740 | 2801 370 Request For Continued Examination (RCE) |
| | | | | 1802 900 | 1802 900 Request for Expedited Examination of a design application |
| | | | | Other fee (specify) _____ | \$ |
| | | | | *Reduced by basic filing fee paid | SUBTOTAL (3) \$160 |

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on November 1, 2002

Martin G. Linihan
Name
755206

Signature

Martin G. Linihan
November 1, 2002
Date of Signature

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